GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

UNSTARRED QUESTION NO:1432
ANSWERED ON:01.12.2005
DOWNLINKING GUIDELINES
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Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is no mechanism to check the antecedents and verify the legitimacy of the owners/distributors of channels downlinking from overseas;

(b) if so, whether there is any proposal to formulate downlinking guidelines to provide better regulation of satellite television channels which uplink from overseas;

(c) if so, the details thereof; and

(d) the time by which the downlinking guidelines are likely to be formulated and notified?

Answer

THE MINISTER OF INFORMATION AND BROADCASTING AND PARLIAMENTARY AFFAIRS (SHRI P.R.DASMUNSI)

(a) to (d): Hitherto, there was no direct control over television channels uplinking from abroad. The only control was on their transmission/retransmission through the Cable Television Networks (Regulation) Act, 1995. There was no control on reception per se of any television channel uplinked from abroad. In view of this, the Government have recently issued policy guidelines for downlinking. These provide for registration of all TV channels downlinked into India. They also provide that any entity/company desirous of downlinking TV channels will obtain permission from the Ministry of Information and Broadcasting, Government of India. Detailed Guidelines are available on the Ministry of I & B's website http// mib.nic.in.

The detailed eligibility criteria prescribed in the guidelines for the applicant company seeking permission to downlink TV channel, inter-alia provide that:

Â§ It must be a company registered in India under the Indian Companies Act,1956, irrespective of equity structure, foreign ownership or management control.

Â§ The applicant company must have a commercial presence in India with its principal place of business in India.

Â§ The applicant company must provide details of their Directors and key executives to obtain their national security clearance.

All the existing channels have been given 180 days to comply.